

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
SUBDIVISION REPORT # FPP-20-22
OLD STONE NO. 2 SUBDIVISION
FEBRUARY 18, 2021

I. GENERAL INFORMATION

A. Project Description

The proposal is for preliminary plat approval of a 2 residential lot subdivision. The property will be served by individual septic systems and a shared well. The property is located at 1158 Old Stone Road outside of Whitefish, MT.

B. Project Personnel

i. Owner

Malory Corum
1158 Old Stone Road
Whitefish, MT 59937

ii. Applicant

Ned and Laura Owen
339 Colorado Ave
Whitefish, MT 59937

iii. Tech. Representative

406 Engineering, Inc
35 8th Street East
Kalispell, MT 59901

Sands Surveying
2 Village Loop
Kalispell, MT 59901

C. Application Review Dates

1. Land Use Advisory Committee/Council

The proposal is not located within the jurisdiction of a Land Use Advisory Committee.

2. Planning Board

The Flathead County Planning Board will hold a public hearing on the proposed subdivision on March 10, 2021 and make a recommendation to the Flathead County Board of Commissioners. This space is reserved for a summary of the Planning Board's discussion and recommendation.

3. Commission

The Flathead County Board of Commissioners will review this proposal after the public hearing conducted by the Planning Board and prior to April 2, 2021 which is the end of the 60-working day statutory review period.

II. ADMINISTRATIVE CHARACTERISTICS

A. Legal Description and Detailed Location of Subject Property

The subject property is 2.99 acres in size and is located at 1158 Old Stone Road outside of Whitefish, Montana. The property can legally be described as The Amended Plat of Lot 3B of The Amended Plat of Lot 3 of Old Stone Subdivision located in Southeast ¼ of the Southeast ¼ of Section 11, Township 31 North, Range 24 West, P.M.M Flathead County, MT.

Figure 1: Aerial of subject property outlined in yellow



B. Subdivision Layout Detail

1. Total Subdivision Acreage:	2.99 acres
2. Acreage in Lots:	2.61 acres
3. Acreage in Roads:	0.38 acres
4. Total Park/Common Area/Open Space Acreage:	0.00 acres
5. Minimum Lot Size:	1.11 acres
6. Maximum Lot Size:	1.50 acres
7. Density:	1 units per 1.5 acres

C. Current Land Use and Zoning

The property is currently developed with two houses and a few accessory buildings. The property is not zoned. There is an open area on the west side of the property and forested area in the southeast corner.

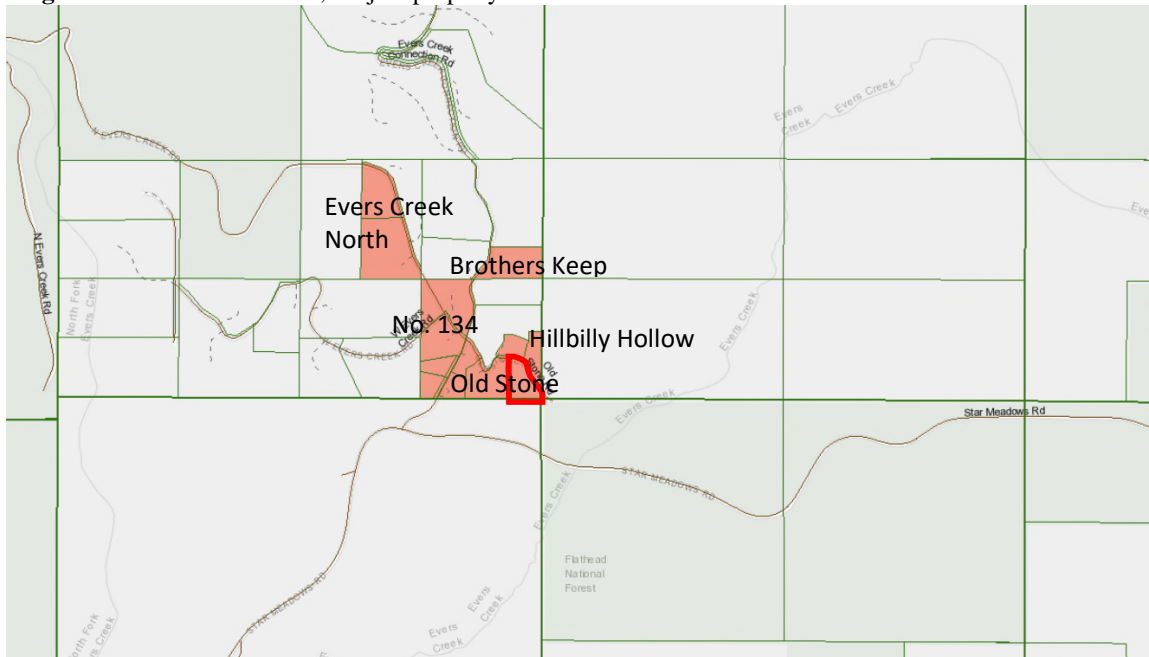
D. Proposed Land Use

The proposed subdivision would create 2 residential lots. The applicant is not proposing common area/open space and will utilize Old Stone Road for access from the existing approaches.

E. Previously Considered Subdivisions in Area

Subdivision Name (year approved)	Type	Total Lots	Average Lot Size
Brothers Keep (2001)	Residential	2	14.53 acres
Evers Creek North (2007)	Residential	2	13.76 acres
Hillbilly Hollow (2003)	Residential	2	5.69 acres
Old Stone (2005)	Residential	3	10.34 acres
Old Stone Amended (2007)	Residential	2	7.34 acres
Subdivision No. 134 (1996)	Residential	3	19.19 acres

Figure 3 - Area subdivisions, subject property shown in red



F. Utilities and Services

1. **Wastewater:** Individual
2. **Water:** Individual
3. **Electricity** Flathead Electric Cooperative
4. **Natural Gas** Northwestern Energy
5. **Solid Waste** Contract Haul- North Valley Refuse
6. **Schools:** Olney-Bissell School District
Whitefish High School District
7. **Fire:** N/A
8. **Police:** Flathead County Sheriff

III. COMMENTS RECEIVED

A. Agency Comments

1. Referrals were sent to the following agencies on September 7, 2021:
 - Flathead County Solid Waste
 - Flathead City-County Health Department
 - MT Fish, Wildlife, & Parks
 - Flathead County Weeds & Parks Department

- DNRC
 - U.S. Forest Services – Flathead National Forest
 - BPA
 - Flathead County Sheriff
 - Olney-Bissell School District
 - Whitefish High School District
2. The following is a summarized list of agency comment received as of the date of the completion of this staff report:
- FWP
 - Comment: “Montana Fish, Wildlife & Parks has no comment on the preliminary plat of 2 residential lots, located at 1158 Old Stone Road, Whitefish MT, Section 11, Township 31 North, Range 24 West.” Letter received January 25, 2021
 - Flathead County Solid Waste
 - Comment: “The District requests that all new subdivisions use a private hauler to bring the solid waste to the landfill. Owner hauling of solid waste from the subdivision should not be the primary method of disposal. North Valley Refuse is the (PSC) Public Service Commission Licensed hauler in this area.” Letter dated January 12, 2021
 - Flathead City-County Environmental Health Department
 - Comment: “The proposed subdivision is subject to review under the Sanitation in Subdivisions, Title 76-4, Part 1, MCA. Potable water, wastewater disposal, storm drainage, and solid waste disposal will be addressed through this review.” Letter dated January 19, 2021

B. Public Comments

In accordance with Section 4.0.14 Flathead County Subdivision Regulations (FCSR), adjacent property notification was mailed to neighboring property owners within 150 feet of the proposed subdivision on February 17, 2021, legal notice was published in the Daily Interlake on February 21, 2021, and notice of the proposal and public hearing was physically posted onsite on January 27, 2021.

As of the date of the completion of this staff report, no public comments have been received from the general public regarding the proposal. Any written comments received following the completion of this report will be provided to members of the Planning Board and Board of Commissioners and summarized during the public hearing.

IV. LOCAL GOVERNMENT REVIEW

A. Review Criteria

Findings in this portion of the report are applicable to the impacts of the proposed subdivision on the review criteria listed in Section 76-3-608(3) MCA and the review procedure outlined in Section 4.1 of the Flathead County Subdivision Regulations (FCSR), effective December 3, 2018.

1. Agriculture and Agricultural Water User Facilities

According to the Environmental Assessment, the subject property has not been utilized for agricultural production and subdivision has been mostly cleared of trees. As

discussed in the soil section the soil is not considered prime farmland. None of the neighboring properties have been historically used for agriculture.

There are no shared agricultural water works, canals, irrigation ditches, or pump houses on the property. The property is not located within an agricultural water district or area.

Finding #1 – There would be minimal impact on agriculture and agricultural water user facilities as a result of the proposed subdivision because the property has no irrigation infrastructure on site, is not in an irrigation district, and is not party to any irrigation agreements, and the property is not currently nor has it historically been used for agriculture.

2. Local Services

a. Water and Wastewater Services

The application indicates, “Water for domestic consumption and lot irrigation will be provided by a shared well. Based on domestic demand of 320 gallons per day (gpd) per lot, a total of 640 gpd will be used to meet the average daily domestic demand.”

“The subdivision will utilize individual septic systems for treatment of wastewater. The property was reviewed previously and the septic system was approved by MDEW for Lot 2. A previous land owner built and connected the house on Lot 1 to a system not approved by the Flathead City-County Health Department or MDEQ. As part of this subdivision process, 406 Engineering designed a new septic system for this lot to make it legal.”

Comments from the Environmental Health office state, “The proposed subdivision is subject to review under the Sanitation in Subdivisions, Title 76-4, Part 1, MCA. Potable water, wastewater disposal, storm drainage, and solid waste disposal will be addressed through this review.”

Finding #2 – The subdivision will have minimal impact on water and wastewater because the subdivision will utilize an existing approved shared well, lot 2 has an approved septic system and the wastewater system for Lot 1 will be required to be reviewed and permitted by the Montana Department of Environmental Quality.

b. Solid Waste Disposal

Pursuant to Section 4.7.22 FCSR, the applicant should be required to meet the requirements of the Flathead County Solid Waste District. The application states, “The subdivision will use a contract hauler for refuse collection and hauling. The landfill is located along U.S. Highway 93 about 10 miles northwest of the subject property.”

Finding # 3 – Impacts on solid waste disposal would be acceptable with standard conditions because the lots within the proposed subdivision would utilize contract haul services for solid waste management.

c. Roads

As shown on the preliminary plat, primary access to all the lots will be via an Old Stone Road via Evers Connection Road and Star Meadows Road. Evers Connection Road is a two lane public road within a 60 foot easement. The applicant is not

proposing any internal subdivision roads as part of this proposal.

Evers Connection Road travels over U.S. Forest Service lands as such the applicant discussed the access with the U.S. Forest Service. Comments from the Forest Service states, “It appears that this property will be utilizing the existing driveway approach (Old Stone Road) onto Forest Service System Road 60E (Evers Connection Rd) which is a yearlong open road, and then utilizing Star Meadows (County). I see no issues with the access to this property.”

The proposed subdivision is not expected to create additional traffic as the property contains two houses, one of which will be on each of the proposed lots. Because no additional traffic is being created no off-site improvements would be required for this subdivision.

Finding #4 – Impacts on area roads would appear to be acceptable because the proposal will not generate additional traffic as each of the proposed lots already contains a house.

d. Schools

The proposal is located in the Olney-Bissell Elementary and Whitefish High School Districts. According to the application the property currently contains two house, one of which will be located on each lot. Therefore no children would be generated by this proposal.

e. Mail Delivery

The applicant states the mail boxes will be centrally located. The developer will be required to submit plans for review and written approval from the local postmaster as a condition of preliminary plat approval.

f. Recreation

Pursuant to Section 4.7.24(a)(iv) FCSR, parkland dedication is not required for subdivisions that create only one additional lot. The subdivision would only create one additional lot so parkland dedication would not be required.

The subdivision offers many recreation opportunities given its proximity to Glacier National Park and National Forest lands for hiking, camping, and hunting, and area lakes and rivers for swimming, fishing, and boating.

The Flathead County Trails Plan does not designate Old Stone Road as a bicycle and pedestrian path.

Finding #5 – Impacts on local services with regard to schools, recreation and mail delivery would appear to be acceptable as the proposed subdivision would add approximately one additional lot, the applicant is proposing central mailboxes, no parkland dedication is required and a bike and pedestrian easement is not required.

3. Public Health And Safety

a. Storm Water Drainage

Both of the proposed lots already contain a home and no internal roads are going to be constructed as part of this subdivision creating no new impervious cover. The soil on the property is well drained which will add in on-site absorption of storm water.

The Storm Drainage Report states, “The development will not increase the impervious area and therefore increase initial runoff volume. An existing retention system is onsite to collect stormwater to ensure the development does not adversely impact the surrounding area, the environment, or health and safety of the lot owners.”

Finding #6 – Impacts from storm water run-off will be acceptable because the existing soils are well drained, and the proposed storm drainage calculation and retention areas appear to meet or exceed DEQ requirements.

b. Fire/Emergency Medical Services

The site is not located within a Fire District. The nearest fire district is almost three miles to the east. The property is located within the Flathead Fire Service Area which contracts with the fire district to provide fire service. Based on the location of the property in proximity to the fire station and local fire district, response times are anticipated to be long.

The subject property is located within the Wildland Urban Interface (WUI) and a County Wide District Priority Area. Thinning has occurred on a majority of the property as the area around both houses has been cleared of trees. Additionally both of the proposed lots already contain a house so no new impacts with regards to fire and medical emergencies will result with this subdivision.

Finding #7 - Impacts on fire and medical services would be minimal because the lots within the proposed are already built-out, even though the property is located in the Wildland Urban Interface the areas around the homes have been cleared of trees, and the property is located within the Flathead Fire Service Area which contracts with the fire district to provide fire service.

c. Police Services

The proposed subdivision is located in a rural area of Flathead County and will be served by the Flathead County Sheriff’s Department. The combination of existing staff levels, shift rotations, size of the county, the dispersed nature of the population, and the property’s relative distance from the Flathead County Sheriff’s Office in Kalispell may lead to delayed response times in the event of an emergency.

Finding #8 – Impacts on police services would be minimal with standard conditions because both proposed lots already contain a house so the sheriff’s office would not be impacted further by the subdivision.

d. Impact of Noise

Impacts from noise and vibration will be minimal as both proposed lots already contain a home and the infrastructure is already in place. No noise beyond what is typical for a rural residential area is anticipated as a result of the proposed subdivision. The proposed residential use is not anticipated to generate noise impacting area residents or wildlife.

e. Air Quality

The applicant has submitted a “Dust Control Plan” compliant with Section 4.7.14 FCSR. A note should be required to be placed on the face of the final plat that

requires the owners of all lots abide by the guidelines set forth in the plan during and after site construction and development activities.

The Environmental Assessment states, “The proposed subdivision accesses off of a private gravel road, Old Stone Road, with the original Old Stone Subdivision. There are already two homes on the property and one home will be located on each of the two proposed lots. The result is that the proposed subdivision will not create any new traffic or road dust and the impact has already occurred.”

Finding #9 – Adverse impacts to air quality and of noise are anticipated to be acceptable with standard conditions as both proposed lots already contain a house, a Dust Abatement Plan was provided and impacts of noise are not expected to extend beyond property lines.

f. High Voltage Electric Lines/High Pressure Gas Lines

There are no high pressure gas lines or high voltage electrical lines on the subject property.

g. Airport Influence Areas

The subject property is not within an airport influence area.

Finding #10 – The proposal does not appear to have an impact on high voltage electric lines, high pressure gas lines or an airport influence area because the property is not located near any of these hazards.

4. Natural Environment

a. Soils

According to NRCS soils data, the soils on the subject property consist of Dystric Eutrochrepts, till substratum (27-7) and Dystric Eutrochrepts, till substratum steep (27-8). According to the soil survey, the Dystric Eutrochrepts soil classifications are not considered prime farmland.

b. Geologic/Avalanche Hazards

According to the applicant and confirmed by staff on the site visit, the property is located in an area of gently rolling terrain with no steep slopes. There appears to be no evidence of unstable soils, rock outcroppings, falls or slides indicating significant geologic hazards is present on the subject property.

The proposed subdivision is not considered prone to avalanche hazards.

Finding #11 – No impacts from geological and avalanche hazards are anticipated because the property is located in an area of gently rolling terrain and there is no evidence of unstable soils, rock outcroppings, falls or slides indicating significant geologic hazards on the property.

c. Flora

A search conducted by the Montana Natural Heritage Program identified this general area of the County may contain five plant species of concern. The species of concern in the vicinity include; Scalepod, Artic Sweet Coltsfoot, Sparrow’s-egg Lady’s Slipper, Tufted Club Rush and Meesia Moss. Scalepods are generally found in moist, rock ledges, Artic Sweet Coltsfoot are found in wetland riparian areas, the lady slipper is found in the masic bottoms of a forest, the moss is found in wet soil

and peat in fens and bogs and Tufted Club Rush is found in fens and wet meadows. The subject property does not contain wetlands, wet or moist areas as it is located in an open space with well drained soils.

Most noxious weeds thrive when soil is disturbed. Some can grow from root parts, as well as seeds that become exposed. Pursuant to Section 4.7.25 FCSR the subdivision will be required to develop and implement a weed control plan approved by the Flathead County Weeds Department prior to final plat approval.

Finding #12 – Minimal impacts on flora are anticipated because the site does not contain habitat for plant species of concern in the area and a weed management plan shall be approved by the Flathead County Weed Board prior to final plat approval.

d. Riparian/Wetland Areas

The subject property does not contain any surface waters, wetlands or riparian areas.

e. Floodplain

According to FEMA FIRM Panel 30029C1050G, the subject property is mapped as unshaded Zone X. unshaded Zone X is defined as areas outside of the 0.2% annual chance flood hazard area.

Finding #13 – No impacts to riparian area, wetland and floodplain are anticipated on the subject property as there are no riparian area, wetlands or floodplain on the property.

f. Wildlife and Wildlife Habitat

A search of the Montana Natural Heritage Program identified this general area of the County may be frequented by sixteen species of concern including the Westslope Cutthroat Trout, Wolverine, Hoary Bat, Canada Lynx, Little Brown Myotis, Fisher, Grizzly Bear, Western Toad, Northern Goshawk, Brown Creeper, Evening Grosbeak, Pileated Woodpecker, Peregrine Falcon, Pacific Wren, Clark's Nutcracker, and Varied Thrush. The Environmental Assessment also identified Grizzly Bears as a species of concern. Most of the species of concern have a habitat of conifer forest. The property is surrounded by conifer forest is adjacent to state and national forest land. However, given the total proposed lots and the fact that each proposed lot has an existing house located on it, minimal impact to wildlife is expected because of the proposed subdivision. The toad and trout species are found in wetlands, and mountain streams respectively.

According to the applicant, "Most of the bird species identified prefer old growth forests of which there are none on the private lands around the subdivision. However, some of the USFS lands could have some old growth trees."

According to the Environmental Assessment, "There are no white bark trees, scree slopes, huckleberries or other food crops that would draw bear."

Montana Fish, Wildlife and Parks submitted comment stating, "Montana Fish, Wildlife & Parks has no comment on the preliminary plat of 2 residential lots, located at 1158 Old Stone Road."

Finding #14 – The proposed subdivision would likely have a minimal impact on wildlife and wildlife habitat because even though species of concern have been documented in the general area, the property has been developed, and has been mostly cleared of trees.

5. Historical Features

The applicant contacted the State Historical Preservation Office (SHPO) which has no record of any historical or culturally significant use on the subject property. There does not appear to be any historic, archeological, or cultural sites on the subject property.

Finding #15 – The proposed subdivision will not adversely impact historical features because there are no known historic, archeological, or cultural sites on the subject property.

B. Compliance with Survey Requirements of 76-3-401 through 76-3-406 M.C.A.

Finding #16 – The preliminary plat would conform to all provisions of the Montana Subdivision and Platting Act if it contains all elements required to meet state survey requirements, which would be determined when it is reviewed by the Flathead County Examining Land Surveyor prior to final plat approval.

C. Compliance with the Flathead County Subdivision Regulations and Review Procedure

1. Requested Variances

No variances have been requested with this application.

2. Flathead County Subdivision Review Procedure

i. Pre-application Conference Date

December 17, 2020

ii. Application Deadline Date (6 months from pre-application)

June 17, 2021

iii. Application Submittal Date

December 17, 2020

iv. Completeness Date

December 21, 2020

v. Sufficiency Date

January 13, 2021

vi. Agency Referral Requests Mailing Date

January 8, 2021

vii. Adjacent Property Notification Mailing Date

February 17, 2021

viii. Legal Notice Publication Date

February 21, 2021

ix. On-site Posting of Public Hearing Date

January 27, 2021

Finding #17 – The proposal has been reviewed as a major subdivision in accordance with statutory criteria and standards outlined in Section 4.4 of the Flathead County Subdivision Regulations effective December 3, 2018.

D. Provision of Easements for the Location and Installation of Planned Utilities

Finding #18 – The preliminary plat identifies adequate easements for utilities to serve the subdivision. All other easements associated with this subdivision and the subdivided property shall be clearly located on the Final Plat to satisfy applicable requirements of the Montana Subdivision and Platting Act and the Flathead County Subdivision Regulations.

E. Provision of Legal and Physical Access to Each Parcel

Finding #19 – Old Stone Road would provide legal and physical access to the subdivision and both parcels.

F. Review of Applicable Plans

76-1-605(2)(b) M.C.A. states that *A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter.* Furthermore, 76-3-608(3) M.C.A. does not contain compliance with the growth policy as a primary criteria by which an individual subdivision proposal must undergo local government review or on which findings of fact are to be based. Review of general conformance with applicable plans is provided as an acknowledgement and consideration of the guidance offered by the information contained in the document(s).

1. Neighborhood Plan

The proposed subdivision is not located within a neighborhood plan area.

2. Flathead County Growth Policy

The Flathead County Growth Policy is a general policy document that meets the requirements of M.C.A. 76-1-601, and was adopted on October 12, 2012. Regulations adopted by Flathead County used in the review of subdivisions are an implementation of the goals and policies established in the Growth Policy (M.C.A.76-1-606). This proposal conforms to the regulations used in the review of subdivision in Flathead County and is therefore in general compliance with the Flathead County Growth Policy.

G. Compliance with Local Zoning

The proposed subdivision is not zoned.

Finding #20 – The proposal generally complies with the Flathead County Growth Policy and local zoning regulations because the proposed subdivision is not zoned and the proposal conforms to the regulations used in the review of subdivision in Flathead County.

V. SUMMARY OF FINDINGS

1. There would be minimal impact on agriculture and agricultural water user facilities as a result of the proposed subdivision because the property has no irrigation infrastructure on site, is not in an irrigation district, and is not party to any irrigation agreements, and the property is not currently nor has it historically been used for agriculture.
2. The subdivision will have minimal impact on water and wastewater because the subdivision will utilize an existing approved shared well, lot 2 has an approved septic system and the wastewater system for Lot 1 will be required to be reviewed and permitted by the Montana Department of Environmental Quality. [Condition 5]
3. Impacts on solid waste disposal would be acceptable with standard conditions because the lots within the proposed subdivision would utilize contract haul services for solid waste management. [Conditions 7 & 10d]

4. Impacts on area roads would appear to be acceptable because the proposal will not generate additional traffic as each of the proposed lots already contains a house.
5. Impacts on local services with regard to schools, recreation and mail delivery would appear to be acceptable as the proposed subdivision would add approximately one additional lot, the applicant is proposing central mailboxes, no parkland dedication is required and a bike and pedestrian easement is not required. [Condition 6]
6. Impacts from storm water run-off will be acceptable because the existing soils are well drained, and the proposed storm drainage calculation and retention areas appear to meet or exceed DEQ requirements. [Conditions 5 & 12]
7. Impacts on fire and medical services would be minimal because the lots within the proposed are already built-out, even though the property is located in the Wildland Urban Interface the areas around the homes have been cleared of trees, and the property is located within the Flathead Fire Service Area which contracts with the fire district to provide fire service. [Condition 2]
8. Impacts on police services would be minimal with standard conditions because both proposed lots already contain a house so the sheriff's office would not be impacted further by the subdivision.
9. Adverse impacts to air quality and of noise are anticipated to be acceptable with standard conditions as both proposed lots already contain a house, a Dust Abatement Plan was provided and impacts of noise are not expected to extend beyond property lines. [Conditions 8 & 10c]
10. The proposal does not appear to have an impact on high voltage electric lines, high pressure gas lines or an airport influence area because the property is not located near any of these hazards.
11. No impacts from geological and avalanche hazards are anticipated because the property is located in an area of gently rolling terrain and there is no evidence of unstable soils, rock outcroppings, falls or slides indicating significant geologic hazards on the property.
12. Minimal impacts on flora are anticipated because the site does not contain habitat for plant species of concern in the area and a weed management plan shall be approved by the Flathead County Weed Board prior to final plat approval. [Conditions 3 & 10e]
13. No impacts to riparian area, wetland and floodplain are anticipated on the subject property as there are no riparian area, wetlands or floodplain on the property.
14. The proposed subdivision would likely have a minimal impact on wildlife and wildlife habitat because even though species of concern have been documented in the general area, the property has been developed, and has been mostly cleared of trees.
15. The proposed subdivision will not adversely impact historical features because there are no known historic, archeological, or cultural sites on the subject property.
16. The preliminary plat would conform to all provisions of the Montana Subdivision and Platting Act if it contains all elements required to meet state survey requirements, which would be determined when it is reviewed by the Flathead County Examining Land Surveyor prior to final plat approval. [Condition 11]

17. The proposal has been reviewed as a major subdivision in accordance with statutory criteria and standards outlined in Section 4.4 of the Flathead County Subdivision Regulations effective December 3, 2018. [Condition 14]
18. The preliminary plat identifies adequate easements for utilities to serve the subdivision. All other easements associated with this subdivision and the subdivided property shall be clearly located on the Final Plat to satisfy applicable requirements of the Montana Subdivision and Platting Act and the Flathead County Subdivision Regulations. [Condition 13 and 14]
19. Old Stone Road would provide legal and physical access to the subdivision and both parcels.
20. The proposal generally complies with the Flathead County Growth Policy and local zoning regulations because the proposed subdivision is not zoned and the proposal conforms to the regulations used in the review of subdivision in Flathead County.

VI. CONCLUSION

In accordance with the provisions of Section 4.5.7 of the Flathead County Subdivision Regulations, a review and evaluation of the preliminary plat application has been completed by the staff of the Flathead County Planning and Zoning Office. The proposed subdivision appears to generally comply with the subdivision review criteria, pursuant to the Findings of Fact. Should the Planning Board forward a recommendation of approval of this subdivision to the Flathead County Commissioners, Findings of Fact and Conditions of Approval attached should be adopted.

VII. CONDITIONS OF APPROVAL

A. Standard Conditions

1. The developer shall receive physical addresses in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by Flathead County. [Section 4.7.16(g)(iv) and 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The developer shall comply with reasonable fire suppression and access requirements of the Office of Emergency Services. A letter from the fire service area manager stating that the plat meets the requirements of the Department shall be submitted with the application for Final Plat. [Section 4.7.26(b) FCSR and Finding of Fact (FOF) 7]
3. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved shall be submitted with the final plat. [Section 4.7.25 FCSR and FOF 12]
4. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.23 FCSR]
5. The proposed water, wastewater treatment, and stormwater drainage systems shall be reviewed, approved, and permitted as applicable by the Flathead City-County Health Department, and approved by the Montana Department of Environmental Quality. [Sections 4.7.20 and 4.7.21 FCSR and FOFs 2 & 6]

6. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the developer has met their requirements shall be included with the application for final plat. [Section 4.7.28 FCSR and FOF 5]
7. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.22 FCSR and FOF 3]
8. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14 FCSR and FOF 9]
9. All road names shall be approved by Flathead County and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c) FCSR]
10. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c) FCSR]
 - b. All utilities shall be placed underground. [Section 4.7.23 FCSR]
 - c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14 FCSR and FOF 9]
 - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR and FOF 3]
 - e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25 FCSR and FOF 12]
11. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i) M.C.A. and FOF 16]
12. Where the aggregate total disturbed area of any infrastructure construction in the proposed subdivision as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction of structures such disturbed area will be equal to, or greater than one acre, a Montana State Department of Environmental Quality (DEQ) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) shall be obtained prior to any site disturbance or construction and a copy of the DEQ confirmation letter shall be provided to the Flathead County Planning & Zoning office prior to final plat approval. [17.30.1115 Administrative Rules of Montana (A.R.M.) FOF 6]

13. All required improvements shall be in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.0.16 FCSR and FOF 18]
14. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.1.13 FCSR and FOF 17 & 18]
15. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]

Planner: EKM